

INFORMATION DISCLOSURE STATEMENT

Atty. Docket No.: P-11209.04

Serial No.: 10/743,373

Applicant(s): Carpenter et al

Filing Date: 12-22-2003

Group:

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
SA	2002/0044889	04-18-2002	Aboul-Hosn et al	422	45	
	2002/0057989	05-16-2002	Afzal et al	422	45	
	2002/0110485	08-15-2002	Stringer et al	422	45	
	2002/0114731	08-22-2002	Stringer et al	422	44	
	3,929,414	12-30-1975	Leonard	23	258.5	
	4,061,470	12-06-1977	Leonard	25	258.5	
	4,186,565	02-05-1980	Toledo-Pereyra	62	306	
	4,205,677	06-03-1980	Engstrom	128	276	
	4,243,531	01-06-1981	Crockett et al	210	188	
	4,370,983	02-01-1983	Lichtenstein	128	630	
	4,402,687	09-06-1983	Denty et al	604	319	
	4,416,658	11-22-1983	Numazawa et al	604	48	
	4,418,565	12-06-1983	St. John	73	19	
	4,424,190	01-03-1984	Mather, III et al	422	46	
	4,436,620	03-13-1984	Bellotti et al	210	90	
	4,479,761	10-30-1984	Bilstad et al	417	395	
	4,489,762	10-30-1984	Bilstad et al	417	395	
	4,490,331	12-25-1984	Steg, Jr.	422	46	
	4,540,399	09-10-1985	Litzie et al	607	4	
	4,572,724	02-25-1986	Rosenberg et al	55	159	
	4,573,992	03-04-1986	Marx	604	408	
	4,599,093	07-08-1986	Steg, Jr.	55	16	
	4,607,520	08-23-1986	Dam	73	19	
	4,610,656	09-09-1986	Mortensen	604	4	
	4,622,032	11-11-1986	Katsura et al	604	122	
	4,651,555	03-24-1987	Dam	73	19	
	4,676,771	06-30-1987	Henke	604	4	
	4,722,224	02-02-1988	Scheller et al	73	599	
	4,734,269	03-29-1988	Clarke et al	422	310	
	4,828,543	05-09-1989	Weiss et al	604	4	
	4,850,954	07-25-1989	Charvin	604	4	
	5,011,469	04-30-1991	Buckberg et al	604	4	
	5,039,482	08-13-1991	Panzani et al	422	46	

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27 Apr 06

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	5,061,236	10-29-1991	Sutherland et al	604	4	
	5,069,661	12-03-1991	Trudell	604	4	
	5,110,548	05-05-1992	Montevecchi	422	48	
	5,158,533	10-27-1992	Strauss et al	604	4	
	5,205,153	04-27-1993	Hlavinka et al	73	79.03	
	5,238,655	08-24-1993	Laible et al	422	101	
	5,266,265	11-30-1993	Raible	422	46	
	5,270,005	12-14-1993	Raible	422	46	
	5,305,982	04-26-1994	Tamari	281	5	
	5,308,314	05-03-1994	Fukui et al	604	4	
	5,308,320	05-03-1994	Safar et al	604	4	
	5,334,136	08-02-1994	Schwarz et al	604	4	
	5,336,051	08-09-1994	Tamari	417	19	
	5,372,593	12-13-1994	Boehringer et al	609	319	
	5,382,227	01-17-1995	Riquier	604	4	
	5,411,706	05-02-1995	Hubbard et al	422	46	
	5,419,769	05-30-1995	Devlin et al	604	119	
	5,540,653	07-30-1996	Schock et al	604	7	
	5,573,502	11-12-1996	LeCocq et al	604	4	
	5,573,526	11-12-1996	Hess	604	408	
	5,588,816	12-31-1996	Abbott et al	417	479	
	5,632,894	05-27-1997	White et al	210	436	
	5,762,868	06-09-1998	Leonard	422	46	
	5,766,480	06-16-1998	Cosentino et al	210	644	
	5,820,579	10-13-1998	Plotkin	604	5	
SA	5,823,986	10-20-1998	Peterson	604	4	

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<i>SA</i>	5,837,905	11-17-1998	Strauss et al	73	861.63	
	5,879,316	03-09-1999	Safar et al	604	4	
	5,958,338	09-28-1999	Lindsay et al	422	45	
	6,017,493	01-25-2000	Cambron et al	422	44	
	6,071,258	06-06-2000	Dalke et al	604	5	
	6,105,912	08-22-2000	Lindsay et al	248	223.41	
	6,302,860	10-16-2001	Gremel et al	604	60.9	
	6,306,346	10-23-2001	Lindsay	422	45	
	6,315,751	11-13-2001	Cosgrove et al	604	5.01	
	6,368,557	04-09-2002	Piplani et al	422	45	
	6,379,618	04-30-2002	Piplani et al	422	45	
	6,387,323	05-14-2002	Afzal et al	422	45	
	6,451,257	09-17-2002	Flamer	422	44	
	6,454,999	09-24-2002	Farhangnia et al	422	45	
	5,021,048	06-04-1991	Buckholtz	604	151	
	5,147,186	09-15-1992	Buckholtz	417	420	
	4,975,247	12-04-1990	Badolato et al	422	48	
	5,312,589	05-17-1994	Reeder et al	422	45	
	5,346,621	09-13-1994	Haworth et al	210	645	
	5,376,334	12-27-1994	Haworth et al	422	46	
	5,395,468	03-07-1995	Juliar et al	156	169	
	5,462,619	10-31-1995	Haworth et al	156	172	
	6,117,390	09-12-2000	Corey, Jr.	422	45	
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	6,559,132	05-06-2003	Holmer	514	56	

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Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
<i>JA</i>	2004/0009097	01-15-2004	Stringer et al	422	45	
	2003/0231982	12-18-2003	Myrick et al	422	45	
	2003/0215356	11-20-2003	Patterson et al	422	45	
	2003/0204127	10-30-2003	Rawles et al	600	16	
	2003/0194348	10-16-2003	Divino, Jr. et al	422	45	
	2003/0163078	08-28-2003	Fallen et al	604	6.01	
	2003/0161759	08-28-2003	Myrick et al	422	45	
	2003/0135152	07-17-2003	Kollar et al	604	35	
	2003/0095892	05-22-2003	Patterson et al	422	45	
	2003/0091470	05-15-2003	Patterson et al	422	45	
	2003/0060421	03-27-2003	Hesson et al	514	23	
	2002/0176798	11-28-2002	Linker et al	422	45	
	2002/0176797	11-28-2002	Roberts et al	422	44	
	2002/0136662	09-26-2002	Myrick et al	422	45	

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	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
<i>JA</i>	WO 00/47248	08-17-2000	PCT				
	EP 0786261 A2	07-30-1997	EP				
	WO 03/058608	07-17-2003	PCT				
	EP 1182452 A2	02-27-2002	EP				
	EP 1180374 A1	02-20-2002	EP				
<i>JA</i>	WO 2004/000391	12-31-2003	PCT				

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)

EXAMINER <i>R. M.</i>	Date Considered <i>27 Apr 04</i>
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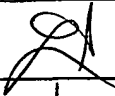

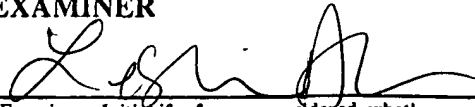

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		Document Number	Date	Country	Class	SubClass	Translation	
							Yes	No
		WO 02/064013	08-22-2002	WO				
		WO 02/26288	04-04-2002	WO				
		EP 1036567A2	02-09-2001	EP				
		DE 4326886A1	02-16-1995	DE				
		WO 96/24397	08-15-1996	WO				
		EP 0351980B1	04-06-1994	EP				
		WO 00/12155	03-09-2000	WO				
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		<i>Journal of Extra-Corporeal Technology</i> : "Rapid Pediatric Cardiopulmonary Support System," J.W. OJITO, ET AL., 1997; 29(2):96-99.						
		<i>Pediatric Cardiac Anesthesia</i> : "Extracorporeal Circulation and Circulatory Assist Devices in the Pediatric Patient," FRANK H. KERN, et al., 1997; 3rd Ed.:219-258.						
		<i>Journal of Extra-Corporeal Technology</i> : "Experimental Use Of An Ultra-Low Prime Neonatal Cardiopulmonary Bypass Circuit Utilizing Vacuum-Assisted Venous Drainage," EDWARD DARLING, et al., 1998; 30(4):184-89.						
		<i>Perfusion</i> : "Minimizing The Bypass Circuit: A Rational Step In The Development Of Paediatric Perfusion," MARTIN ELLIOTT, 1993; 8:81-86.						
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		<i>International Anesthesiology Clinics</i> : "Pediatric Cardiopulmonary Bypass: A Review of Current Practice," ROBERT C. GROOM, et al., 1996; 34:141-63.						
		<i>Journal of Extra-Corporeal Technology</i> : "Micro-Prime Circuit Facilitating Minimal Blood Use During Infant Perfusion," CHARLES M. TYNDAL JR., et al., 1987; 19(3):352-57.						
		<i>Ann. Thoracic Surgery</i> : "A Venous Reservoir For Cardiopulmonary Bypass In Newborns And Small Infants," JOHN L. OCHSNER, et al., 1988; 45:686.						
		<i>Proc. Eur. Society Artificial Internal Organs</i> : "Automation of Cardiopulmonary Bypass for Open Heart Surgery," P.H. MOOK, et al., 1978; 5:234-37.						
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		<i>Artificial Organs</i> : "A Novel Technique for Cardiopulmonary Bypass Using Vacuum System for Venous Drainage with Pressure Relief Valve: An Experimental Study," SATOSHI TAKETANI, et al., 1998; 22(4):337-41.			
		<i>Perfusion</i> : "Paediatric Perfusion Practice in North America: An Update," ROBERT C. GROOM, ET AL., 1995; 10:393-401.			
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		<i>Ann. Thoracic Surg</i> : "Minimally Invasive Coronary Artery Bypass Grafting," TEA E. ACUFF, M.D., et al., 1996; 61:135-7 (Applicants only have page 135).			
		<i>Ann. Thoracic Surg</i> : "Transpericardial Inferior Vena Caval Cannulation in Thoracic Aorta Operations," EUGENIO NERI, M.D., et al., 1996; 62:1208-1209 (Applicants only have page 1208).			
		<i>Ann. Thoracic Surg</i> : "Minimally Invasive Valve Operations," DELOS M. COSGROVE III, M.D., et al., 1998; 65:1535-9 (Applicants only have page 1535).			
		<i>Ann. Thoracic Surg</i> : "Augmented Femoral Venous Return," LYNN SOLOMON, M.D., et al., 1993; 55:1262-3 (Applicants only have page 1262).			
		Drawing provided by Miami Children's Hospital, drawn on July 7, 1997.			
		Specification Sheets of a venous assisted CB circuit, specification sheets sent between Miami Children's Hospital and Medtronic, Inc., earliest date is December 16, 1998 (7 pages).			
		Specification Sheets of a hybrid CB circuit, specification sheets sent between Miami Children's Hospital and Medtronic, Inc., earliest date is June 20, 1997.			
		Email relating to augmented venous return sent to PerfList@aol.com, PerfList@aol.com is a multiple recipient medical informational email group, sent on April 27, 1997.			
		Email relating to augmented venous return and minimally invasive procedures sent to PerfList@aol.com, PerfList@aol.com is a multiple recipient medical informational email group, sent on April 27, 1997.			
		Email relating to venous drainage sent from Brian Crawford CCP to Jorge Ojito on April 28, 1997.			
	Email relating to augmented venous return sent by Jorge Ojito on April 26, 1997.				
	<i>Ann. Thoracic Surgery</i> : "Assisted Venous Drainage Cardiopulmonary Bypass in Congenital Heart Surgery," JORGE OJITO, et al., 2001; 71:1267-72.				
EXAMINER 		Date Considered 27 Apr 06			

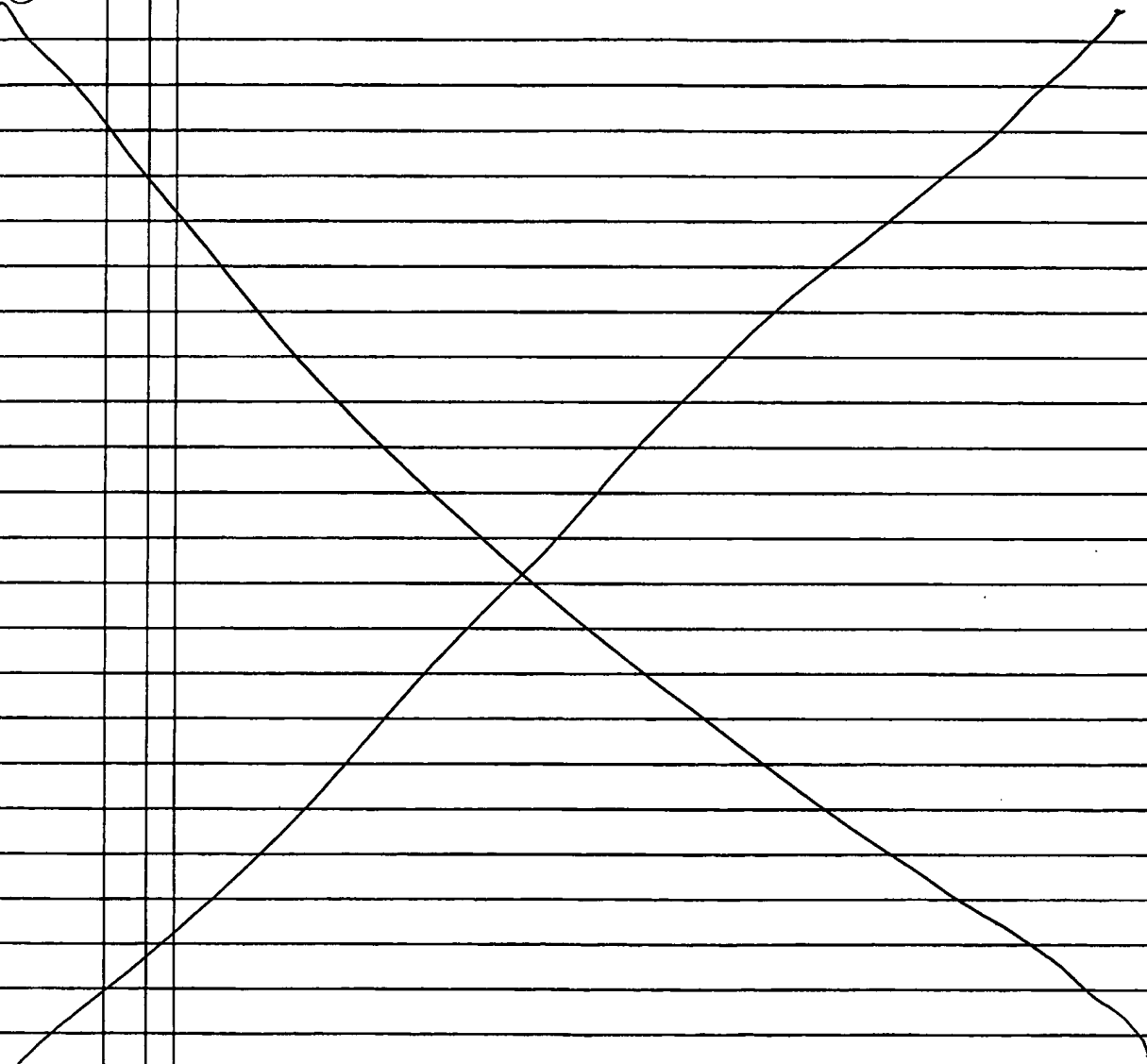
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		Ann. Thoracic Surgery: "Rapid Cardiopulmonary Support for Children with Complex Congenital Heart Disease," JEFFREY P. JACOBS, et al., 2000;70:742-50.	
		"Minimally Invasive & Bypass" computer search results, 1998.	
		"Minimally Invasive & Valve" computer search results, 1998.	
		"Intersept® Custom Tubing Pack with Carmeda® BioActive Surface" product label, 2003.	
		Facsimile transmission sheet from Elly Wierenga, Medtronic, Inc., regarding Carmeda® Data Analysis, September 14, 1998.	
		"Venous Pull Circuit" diagram.	
		<i>Journal of Thoracic and Cardiovascular Surgery</i> Copyright and Conflict of Interest Statement regarding manuscript entitled "Assisted Venous Drainage Cardiopulmonary Bypass: (AVDCPB) An Alternative Technique in Minimally Invasive Congenital Surgery" signature page, signed by Jorge Ojito, November 25, 1998.	
		May 4, 1999 correspondence from John A. Waldhausen, M.D., <i>The Journal of Thoracic and Cardiovascular Surgery</i> , to Redmond Burke, M.D. regarding his manuscript entitled "Assisted Venous Drainage Cardiopulmonary Bypass: an Alternative Technique in Minimally Invasive Congenital Cardiac Surgery."	
		June 28, 2000 correspondence from L. Henry Edmunds, Jr., M.D., Editor, <i>The Annals of Thoracic Surgery</i> , to Redmond P. Burke, M.D. regarding his paper entitled "Assisted Venous Drainage Cardiopulmonary Bypass: Safety and Efficacy in Congenital Heart Surgery."	
		Program and certificate of participation of Jorge Ojito at Sociedad Chilena de Circulacion Extracorporea, Vina del Mar, Chile, November 12-15, 1998.	
		"Assisted Venous Drainage Cardiopulmonary Bypass: Safety and Efficacy in Congenital Heart Surgery" presentation, JORGE OJITO.	
		Certificates of participation by Jorge Ojito Jornados Sobre Perfusion Pediatrica y Asistencia Circulatoria Mecanica, Buenos Aires, Argentina, November 17, 1998.	
		Cardiologia program, Caracas, Venezuela, June 6-10, 2000.	
		"Assisted Venous Drainage Cardiopulmonary Bypass: Safety and Efficacy in Congenital Heart Surgery," presented by JORGE OJITO, Mechanisms of Perfusion XVI, Lake Buena Vista, Florida, May 17-20, 2001.	
		"Assisted Venous Drainage During CPB: Safety and Efficacy in Congenital Heart Surgery," presented by JORGE OJITO, The 38 th Annual Scientific Meeting of Japanese Society of Pediatric Cardiology and Cardiac Surgery, 2002.	
		Comparison of claims in United States Patent No. 6,302,860 (Gremel, et al.) and United States Patent No. 6,337,049 (Tamari).	
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	Declaration of Jorge Ojito in the matter of United States Patent Nos. 6,302,860 and 6,524,267, August 2003.
	<i>Curriculum Vitae</i> of Jorge Ojito.
	Declaration of Yehuda Tamari in the matter of United States Patent Nos. 6,302,860 and 6,524,267.
	<i>Curriculum vitae</i> of Yehuda Tamari.



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		WO 03/66134	08-14-2003	WO				
		WO 04/064896	08-05-2004	WO				
		EP 1 166 806	01-02-2002	EP				

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